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**Cc:** Defreese (Amy Defreese@fws.gov); Damery (wdamery@utah.gov)  
**Subject:** [Non-DoD Source] SPK-2011-00107 Provo Lakeview Parkway Comments  
**Date:** Thursday, June 01, 2017 4:06:12 PM

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Mike,

The US Environmental Protection Agency Region 8 (EPA) has reviewed Public Notice SPK-2011-00107 and provides the following comments. The applicant, Provo City, is requesting authorization to fill approximately 2.56 acres of wetlands and 3,324 linear feet of waters of the U.S., in conjunction with the construction of the Provo Lakeview Parkway in Utah County, Utah. The proposed project, a 1.8 mile, three-lane road with bike lanes in each direction, would directly fill 2.56 acres of palustrine emergent wetlands and with additional potential secondary and cumulative impacts that have not been evaluated in the permit application.

#### Alternatives evaluation

We are concerned that the project, as currently proposed, does not comply with the Clean Water Act Section 404(b)(1) regulations (Guidelines), as it may not reflect the least environmentally damaging practicable alternative. The public notice and permit application do not include maps of alternatives showing wetland impacts for the individual alignments, but we were able to review wetland delineation maps provided by the Corps. Following this evaluation, it appears that the Red and Tan alignments in the northern portion of the project may have less direct impacts to wetlands than the preferred alternative. We recognize that these alternatives impact fens in the southern portion of the proposed roadway, and are supportive of avoiding fens in the southern portion of the project area. However, because of the potential differences in direct wetland impacts between alternatives in the northern and southern segments, we recommend the applicant divide the alternatives evaluation into northern and southern segments in order to consider which alternative may have less impacts in each segment independently. We are particularly interested in understanding whether the Red/Tan Alternative in the northern segment could reflect a less environmentally damaging practicable alternative following this revision to the alternatives analysis. In the southern portion of the project area, we agree that impacts to fens should be avoided wherever possible and concur that the preferred alternative avoids these impacts compared with the other alternatives.

#### Evaluation of Impacts

We recommend that the applicant provide a meaningful analysis of secondary or cumulative impacts within the project area. We recommend that the applicant quantify the acreage and types of wetlands and other waters of the U.S. that occur within 300 feet of the roadway alignments, and describe the secondary impacts that are likely to occur within that area. Secondary impacts may include increases in non-native species, high disturbance levels (noise, light, etc.), changes in hydrology and water quality, and effects to birds and wildlife dependent upon the large, contiguous wetland habitat. Appropriate mitigation should be proposed to offset any unavoidable impacts associated with the project.

Additionally, a cumulative impact analysis should be provided to the Corps which includes an evaluation of impacts to wetlands in the project area attributable to any future discharge of dredged or fill material into waters of the U.S. The public notice notes that the purpose of this roadway is to

"alleviate anticipated pressure on Lakeshore Drive due to future development..." A cumulative effects analysis should include any reasonably foreseeable fill of wetlands (e.g., to develop intersections, roadways, commercial or residential development, etc.,) where that development was reasonably facilitated by the construction of this roadway and the improved access it would bring to the area.

#### Additional Minimization Efforts

We recommend the applicant consider efforts to minimize the impacts of their proposed project on aquatic resources, including minimizing the right of way through wetland areas. The public notice and attached figures do not include information on the proposed right-of-way widths, nor whether this width could be reduced in wetland areas to reduce direct impacts to wetlands. We request that the applicant consider a narrower ROW in the wetland areas, with boardwalks, retaining walls, or bridges where the applicant would like to include a bike path. In addition, right-of-way could be reduced by eliminating the center turn lane through the wetland areas where access may not be needed.

We request that the applicant consider the following minimization opportunities or provide additional written information to the Corps demonstrating why further minimization measures are not practicable:

- Bridging all or portions of stream crossings (e.g., bridging over Pelican Creek would avoid 2,709 linear feet of stream impacts);
- Frequent culvert placement in wetland areas to reduce secondary hydrologic impacts;
- Use of open-bottomed culverts;
- Reducing the ROW in wetland areas (e.g., by eliminating roadside ditches, building boardwalks for bike lanes, constructing retaining walls instead of graded slopes);
- Water quality management features, including sediment and stormwater detention basins to reduce runoff into the wetlands;
- Shifting the roadway alignment to further avoid wetland impacts; and
- Designing the roadway as a limited-access roadway to minimize secondary impacts to aquatic resources and associated wildlife.

In view of the concerns presented above, including the potential availability of less environmentally damaging practicable alternatives, the availability of additional minimization measures and the inadequate characterization of secondary and cumulative effects, we believe additional information is needed from the applicant before a permitting decision can be made by the Corps. We recommend the applicant provide the additional requested information to the Corps on project alternatives, minimization measures and the project's secondary and cumulative impacts.

Thank you for the opportunity to review this public notice. Please let me know if you have any questions regarding these comments.

Thank you,

Julia McCarthy  
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